



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/051,450

01/17/2002

Daniel M. Gruen

600177.061

6982

61834

7590

03/21/2007

DREIER LLP
499 PARK AVE
NEW YORK, NY 10022

EXAMINER

KENNEDY, ADRIAN L

ART UNIT

PAPER NUMBER

2121

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|-----------|---------------|
|--|-----------|---------------|

3 MONTHS

03/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/051,450 | | GRUEN ET AL. | |
| | Examiner | | Art Unit | |
| | Adrian L. Kennedy | | 2121 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Examiner's Detailed Office Action

1. This Office Action is responsive to **Amendment After Non Final Rejection**, filed **December 04, 2006**.
2. **Claims 1-19** were originally presented.
3. **Claims 1 and 8** were amended.
4. **Claims 1-19** will be examined.

Specification

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claims 10-18 contains the phrase "computer readable media" which is not supported by the specification.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal et al. (USPN 6,094,651) in view of Yost et al. (USPN 6,567,796).

Art Unit: 2121

Regarding claim 1:

Agrawal et al. teaches,

(Currently Amended) A computerized method for indicating potential misclassification, consequent to the application of at least one first rule (C 2, L 20-24; *“a search for anomalies is guided to interesting areas of the data by pre-mined paths that are based on exceptions found at various levels of data aggregation”*); The examiner takes the position that the use of rules is inherent in the invention of Agrawal et al. This position is supported by the previously cited passage which teaches the use of “pre-mined paths that are based on exceptions” which only go along a certain path if certain criteria is met.), of an incoming data item used by one or more application programs (The examiner takes the position that by teaching that his invention is for on line analytical processing, Agrawal anticipates the use of incoming data), the method comprising:

applying at least one first rule to add the incoming data item and adding the incoming data item to a collection (C 1, L 38-45; *“to create an [multidimensional database] from a collection of data, a number of attributes associated with the data are selected”*); The examiner takes the position that based on the incoming data from the collection one or more rules are used to determine which data to add to the multidimensional database, and how to arrange said data in the database.

As a result the teaching of Agrawal et al. anticipates applicant’s claimed invention) of one or more data items if the incoming data item follows the first rule;

calculating statistics regarding the data items in the collection (C 3, L 1-6; *“the surprise value of the cell is a residual difference between an expected value for the cell and an actual value”*);

applying one or more second rules to the calculated statistics to identify whether the incoming data item is an anomalous data item that has not properly been added to the collection despite satisfying the at least one first rule (The examiner takes the position that the applicant’s claiming of identifying anomalous data is anticipated by Agrawal et al. teaching the “locating of data anomalies” and calculating a “surprise value” in Column 2, L 38-43);

flagging the incoming data item as an anomalous data item if the data item is identified as an anomalous data item (C 4, L 47-52; *“a “highlight exceptions” feature of the present invention is invoked”*); and

indicating to at least one user that the collection contains at least one data item that has been identified as anomalous with regard to other data items in the collection (C 4, L 58-62; *“the “highlight exception” feature, as other features and functions of the present invention are invoked in a well-known manner, such as by clicking on a graphical user interface (GUI) button or by a command entered using a keyboard”*; The examiner takes the position that by teaching that a user determines whether to invoke the highlight exception feature and that the feature visually changes a cell, it is inherent that the feature indicates to a user).

Agrawal does not teach the retrieving of a user preference profile or the indicating to a user based on a retrieved user preference profile.

Art Unit: 2121

However, Yost et al. does teach,

The retrieving of a user preference profile and the indicating to a user based on a retrieved user preference profile (C 8, L 24-28; *“personalization module 50 captures the criteria selected by the user and creates a subscription based on the selected criteria”*;

The examiner takes the position that by teaching the delivery of data based on the user's criteria, Yost et al. anticipates the retrieving of said user profile. This position is supported by the fact that in order to properly deliver the correct data to the user, the invention of Yost et al. must retrieve the personalization module at some point)

It would have been obvious to one skilled in the art at the time of invention to combine the invention of Agrawal et al. with the invention of Yost et al. for the purpose of facilitating the real time processing of data based on a user profile (Yost et al; C 8, L 20-33; *“personalization module 50 may be provided to enable subscribers to specify the content for a service in which they are interested”*).

Regarding claim 2:

Agrawal et al. teaches,

(Original) The method wherein calculating comprises calculating a mean data item size and standard deviation for the other data items in the collection (The examiner takes the position that the calculating of a mean data item size and standard deviation is anticipated in the teaching of Column 3, Lines 16-20 where Agrawal et al. recursively subtracts the value of different data items from an average data item value).

Art Unit: 2121

Regarding claims 3 and 4:

The examiner takes the position that in regards to claims 3 and 4 Agrawal anticipates the calculating of a mean interval (claim 3) and an arrival time (claim 4) of data items and a calculation of a mean and a standard deviation between these values, in Column 9, Lines 63-67, where Agrawal et al. teaches that the data includes a time dimension.

Furthermore, the examiner previously established that Agrawal et al. taught the calculation of standard deviation based on the values of the data items.

Regarding claim 5:

Agrawal et al teaches,

(Original) The method wherein calculating comprises: calculating a presence or absence of keywords for the other data items in the collection; and identifying whether the data item is an anomalous data item based on the presence or absence of keywords (C 2, L 43-53; The examiner takes the position that the calculating of the presence or absence of keywords and identifying whether an anomalous data item is present based on said keywords is anticipated by Agrawal teaching the use of keyword such as “Self-Exp”, “In-Exp”, and “Path-Exp” which are keywords that have an associated calculated value).

Regarding claim 6:

Agrawal et al. teaches,

(Original) The method wherein calculating statistics for the other data items in the collection is performed in real time (C 1, L 22-25; “*On-Line Analytical Processing*”; The

Art Unit: 2121

examiner takes the position that it is widely known in the art that OLAP methods operate in real-time. Furthermore, by operating in real-time the examiner takes this to mean 24 hours a day, 7 days a week).

Regarding claim 7:

Agrawal et al. teaches,

(Original) The method wherein the step of calculating statistics for the other data items is performed periodically (C 24-28; “*OLAP software enables users, such as analysts, managers and executives, to gain insight into performance of an enterprise through rapid access to a wide variety of data views*”; The examiner takes the position that the invention of Agrawal et al. enables the user to view whatever metric they wish to view on demand, and therefore supports the ability to calculate certain statistics only when required by the user. Furthermore, the examiner asserts that this teaching does not change the fact that the invention of Agrawal et al. is continuously calculating statistics and operating on incoming data in real time, especially since the invention is an on-line analytics processor).

Regarding claim 8:

Agrawal et al. teaches,

(Currently Amended) The method wherein identifying comprises determining whether the data item falls outside a number of standard deviations from the statistical calculations (The examiner takes the position that the “determining” as claimed by the

Art Unit: 2121

applicant is anticipated by Agrawal et al. in him teaching the use of statistics in locating anomalies in Column 2, Lines 38-53. Additionally, Agrawal explicitly states the use of standard deviation as a metric used to identify data anomalies in Column 3, Lines 16-20, and Column 6, Lines 38-42).

Regarding claim 9:

Agrawal et al. in combination with Yost et al. teaches,

(Original) The method comprising setting the number of standard deviations to a value set by a user (The examiner take the position that because the standard deviation is a value which can be used to determine whether data is an anomaly or not, and because exception criteria can be set by the user, the invention of Agrawal in combination with the invention of Yost et al. anticipates the setting of standard deviation to a value set by the user.).

The examiner takes the position that by teaching the delivery of data based on the user's criteria, Yost et al. anticipates the retrieving of said user profile. This position is supported by the fact that in order to properly deliver the correct data to the user, the invention of Yost et al. must retrieve the personalization module at some point)

It would have been obvious to one skilled in the art at the time of invention to combine the invention of Agrawal et al. with the invention of Yost et al. for the purpose of facilitating the real time processing of data based on a user profile (Yost et al; C 8, L 20-33; *"personalization module 50 may be provided to enable subscribers to specify the content for a service in which they are interested"*).

Art Unit: 2121

Regarding claims 10

Agrawal et al. teaches,

(Currently amended) Computer readable media comprising storing program code, the program code instructing a programmable computer to execute a method (C 3, L 23-30; *“the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method”* and *“program storage device”*) for indicating potential misclassification, consequent to the application of at least one rule (C 2, L 20-24; *“a search for anomalies is guided to interesting areas of the data by pre-mined paths that are based on exceptions found at various levels of data aggregation”*); The examiner takes the position that the use of rules is inherent in the invention of Agrawal et al. This position is supported by the previously cited passage which teaches the use of *“pre-mined paths that are based on exceptions”* which only go along a certain path if certain criteria is met.), or a data item used by one or more application programs, the method comprising:

applying at least one first rule to add the incoming data item and adding the incoming data item to a collection (C 1, L 38-45; *“to create an [multidimensional database] from a collection of data, a number of attributes associated with the data are selected”*); The examiner takes the position that based on the incoming data from the collection one or more rules are used to determine which data to add to the multidimensional database, and how to arrange said data in the database.

As a result the teaching of Agrawal et al. anticipates applicant's claimed

invention) of one or more data items if the incoming data item follows the first rule;

calculating statistics regarding the data items in the collection (C 3, L 1-6; *“the surprise value of the cell is a residual difference between an expected value for the cell and an actual value”*);

applying one or more second rules to the calculated statistics to identify whether the incoming data item is an anomalous data item that has not properly been added to the collection despite satisfying the at least one first rule (The examiner takes the position that the applicant’s claiming of identifying anomalous data is anticipated by Agrawal et al. teaching the “locating of data anomalies” and calculating a “surprise value” in Column 2, L 38-43);

flagging the incoming data item as an anomalous data item if the data item is identified as an anomalous data item (C 4, L 47-52; *“a “highlight exceptions” feature of the present invention is invoked”*); and

indicating to at least one user that the collection contains at least one data item that has been identified as anomalous with regard to other data items in the collection (C 4, L 58-62; *“the “highlight exception” feature, as other features and functions of the present invention are invoked in a well-known manner, such as by clicking on a graphical user interface (GUI) button or by a command entered using a keyboard”*; The examiner takes the position that by teaching that a user determines whether to invoke the highlight exception feature and that the feature visually changes a cell, it is inherent that the feature indicates to a user).

Art Unit: 2121

Agrawal does not teach the retrieving of a user preference profile or the indicating to a user based on a retrieved user preference profile.

However, Yost et al. does teach,

The retrieving of a user preference profile and the indicating to a user based on a retrieved user preference profile (C 8, L 24-28; *“personalization module 50 captures the criteria selected by the user and creates a subscription based on the selected criteria”*;

The examiner takes the position that by teaching the delivery of data based on the user's criteria, Yost et al. anticipates the retrieving of said user profile. This position is supported by the fact that in order to properly deliver the correct data to the user, the invention of Yost et al. must retrieve the personalization module at some point)

It would have been obvious to one skilled in the art at the time of invention to combine the invention of Agrawal et al. with the invention of Yost et al. for the purpose of facilitating the real time processing of data based on a user profile (Yost et al; C 8, L 20-33; *“personalization module 50 may be provided to enable subscribers to specify the content for a service in which they are interested”*).

Regarding claims 11

Agrawal et al. teaches

(Previously presented) The computer readable media (C 3, L 23-30; *“the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method”* and *“program storage device”*) comprising a method for recognizing and flagging a data item used by one or more application

Art Unit: 2121

programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant's claimed invention) wherein calculating comprises calculating a mean data item size and standard deviation for the other data items in the collection (The examiner takes the position that the calculating of a mean data item size and standard deviation is anticipated in the teaching of Column 3, Lines 16-20 where Agrawal et al. recursively subtracts the value of different data items from an average data item value).

Regarding claims 12

Agrawal et al. teaches

(Original) The computer readable media (C 3, L 23-30; *"the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method"* and *"program storage device"*) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant's claimed invention) wherein calculating comprises calculating a mean interval between data items and standard deviation for the other data items in the collection (The examiner takes the position that Agrawal

Art Unit: 2121

anticipates the calculating of a mean interval (claim 3) and an arrival time (claim 4) of data in Column 9, Lines 63-67, where Agrawal et al. teaches that the data includes a time dimension. Furthermore, the examiner previously established that Agrawal et al. taught the calculation of standard deviation and mean value based on the values of the data items).

Regarding claims 13

Agrawal et al. teaches

(Original) The computer readable media (C 3, L 23-30; “*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*” and “*program storage device*”) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant’s claimed invention) wherein calculating comprises calculating a mean data item arrival time and standard deviation for the other data items in the collection (The examiner takes the position that Agrawal anticipates the calculating of a mean interval (claim 3) and an arrival time (claim 4) of data in Column 9, Lines 63-67, where Agrawal et al. teaches that the data includes a time dimension. Furthermore, the examiner previously established that Agrawal et al. taught the calculation of standard deviation and mean value based on the values of the data items).

Art Unit: 2121

Regarding claims 14

Agrawal et al. teaches

(Original) The computer readable media (C 3, L 23-30; “*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*” and “*program storage device*”) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant’s claimed invention) wherein calculating comprises: calculating a presence of absence of keywords for other data items in the collection; and identifying whether the data item is an anomalous data item based on the presence or absence of keywords(C 2, L 43-53; The examiner takes the position that the calculating of the presence or absence of keywords and identifying whether an anomalous data item is present based on said keywords is anticipated by Agrawal teaching the use of keyword such as “Self-Exp”, “In-Exp”, and “Path-Exp” which are keywords that have an associated calculated value).

Regarding claims 15

Agrawal et al. teaches

Art Unit: 2121

(Original) The computer readable media (C 3, L 23-30; “*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*” and “*program storage device*”) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant’s claimed invention) wherein calculating statistics for other data items in the collection is performed in real time (C 1, L 22-25; “*On-Line Analytical Processing*”; The examiner takes the position that is it widely know in the art that OLAP methods operate in real-time. Furthermore, by operating in real-time the examiner takes this to mean 24 hours a day, 7 day a week).

Regarding claims 16

Agrawal et al. teaches

(Original) The computer readable media (C 3, L 23-30; “*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*” and “*program storage device*”) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43,

Art Unit: 2121

anticipates the specific claiming of applicant's claimed invention) wherein calculating statistics for other data items in the collection is performed periodically (C 24-28; "*OLAP software enables users, such as analysts, managers and executives, to gain insight into performance of an enterprise through rapid access to a wide variety of data views*"; The examiner takes the position that the invention of Agrawal et al. enables the user to view whatever metric they wish to view on demand, and therefore supports the ability to calculate certain statistics only when required by the user. Furthermore, the examiner asserts that this teaching does not change the fact that the invention of Agrawal et al. is continuously calculating statistics and operating on incoming data in real time, especially since the invention is an on-line analytics processor.).

Regarding claims 17

Agrawal et al. teaches

(Original) The computer readable media (C 3, L 23-30; "*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*" and "*program storage device*") comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant's claimed invention) wherein identifying comprises determining whether the data item falls outside a number of standard

Art Unit: 2121

deviations from the statistical calculations (The examiner takes the position that the “determining” as claimed by the applicant is anticipated by Agrawal et al. in him teaching the use of statistics in locating anomalies in Column 2, Lines 38-53.

Additionally, Agrawal explicitly states the use of standard deviation as a metric used to identify data anomalies in Column 3, Lines 16-20, and Column 6, Lines 38-42).

Regarding claims 18

Agrawal et al. in combination with Yost et al. teaches

(Original) The computer readable media (C 3, L 23-30; “*the information is readable by a machine, and tangibly embodies a program of instruction executable by the machine for performing the method*” and “*program storage device*”) comprising a method for recognizing and flagging a data item used by one or more application programs as falling within the scope of a rule but anomalous when compared with other data items falling within the scope of the rule (The examiner takes the position that the broad teaching of locating anomalies in the invention of Agrawal et al. in Column 2, Lines 38-43, anticipates the specific claiming of applicant’s claimed invention) comprising setting the number of standard deviations to a value set by a user (The examiner take the position that because the standard deviation is a value which can be used to determine whether data is an anomaly or not, and because exception criteria can be set by the user, the invention of Agrawal in combination with the invention of Yost et al. anticipates the setting of standard deviation to a value set by the user.).

Art Unit: 2121

The examiner takes the position that by teaching the delivery of data based on the user's criteria, Yost et al. anticipates the retrieving of said user profile. This position is supported by the fact that in order to properly deliver the correct data to the user, the invention of Yost et al. must retrieve the personalization module at some point)

It would have been obvious to one skilled in the art at the time of invention to combine the invention of Agrawal et al. with the invention of Yost et al. for the purpose of facilitating the real time processing of data based on a user profile (Yost et al; C 8, L 20-33; *"personalization module 50 may be provided to enable subscribers to specify the content for a service in which they are interested"*).

Regarding claim 19:

Claim 1 corresponds to claim 19. The examiner takes the position that the step of taking an action as claimed by the applicant is evident in the highlighting of an exception (Agrawal et al.; C 4, L 58-62) based on a users profile (Yost et al.; C 8,L 20-22).

It would have been obvious to one skilled in the art at the time of invention to combine the invention of Agrawal et al. with the invention of Yost et al. for the purpose of facilitating the real time processing of data based on a user profile (Yost et al; C 8, L 20-33; *"personalization module 50 may be provided to enable subscribers to specify the content for a service in which they are interested"*)

Response to Arguments

Applicant's arguments filed on December 04, 2006 have been fully considered but they are not fully persuasive. The unpersuasive arguments made by the Applicant are stated below:

In reference to Applicant's argument:

Regarding claims 1-18, claims 1 and 10 as amended recite the step of "retrieving a user preference profile" and indicating to at least one user that a data item is anomalous in accordance with the retrieved profile.

Examiner's response:

The examiner has reviewed the applicant's arguments regarding the prior art rejection. In lieu of the presently amended claims, the examiner has presented new prior art rejections.

In reference to Applicant's argument:

Agrawal does not disclose identifying misplaced data, that is, data that does not belong within the collection.

Examiner's response:

Applicant's disclosure appears to teach that "the present invention comprises a method and software for recognizing and flagging a data item used by one or more application programs as an anomalous data item" (Page 3, Lines 7-8). The examiner asserts that the aforementioned method and software is the applicant's method of indicating potential misclassification (Claims 1-18) and that it is equivalent to Agrawal's teaching of searching for and identifying anomalies (Column 2, Lines 20-28). Additionally, Agrawal explicitly states that his invention is for "locating data anomalies" (C 2, L 38-43).

In reference to Applicant's argument:

However, it is not clear how it would have been obvious to use the personalization system disclosed by Yost with the anomaly detection disclosed by Agrawal.

Examiner's response:

The examiner has reviewed the applicant's arguments regarding the prior art rejection, and takes the position that the applicant's primary argument is that there is no motivation to combine the teaching of Agrawal with the teachings of Yost. As set forth above, the motivation to combine the teachings of Agrawal with the teachings of Yost is to add the ability to personalize the identification of anomalies using the personalization module of Yost (C 8, L 19-28). Additionally, Yost teaches that the personalization allows the user to set criteria (rules) for personalized subscriptions where the user can receive data that fits his criteria (i.e. is properly classified). The examiner takes the position the position that because Yost does not specifically state whether the criteria (rules) are inclusive or exclusive that Yost anticipates the receiving of both classified and misclassified data, by allowing the user to include or exclude data in his rules.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sammon, Jr. et al. (USPN 6,012,051) is cited for his consumer profiling system with analytic decision processor. Howard (USPN 6,336,109) is cited for his method and apparatus for inducing rules from data classifiers. Howard et al. (USPN 6,647,379) is cited for his method and apparatus for interpreting information.

Art Unit: 2121

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrian L. Kennedy whose telephone number is (571) 270-1505. The examiner can normally be reached on Mon -Fri 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALK


Anthony Knight
Supervisory Patent Examiner
Technology Center 2100